



# OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

*Teri Rennia, City Council President*

*Angela Holmes, City Clerk*

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## BOARD OF ESTIMATE AND APPORTIONMENT

### MEETING MINUTES

DPW Conference Room, 3<sup>rd</sup> Floor City Hall

Wednesday March 20, 2013

**Call to Order.** Called to order at 11:24am by Mayor Matthew T. Ryan.

**Present:** Matthew T. Ryan, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel

**Absent:** Philip T. Krey, City Engineer; Luke Day, Commissioner of Public Works

**Also Present:** Gerald Kennicutt, Deputy Comptroller; Brian Seachrist, Assistant Corporation Counsel; Angela Holmes, City Clerk

### ITEMS CONSIDERED

**85 Glenwood Avenue.** Offer to Purchase 85 Glenwood Avenue for \$500, submitted by Kathryn Sirsen on June 27, 2012. Sent to the Assessor's Office, the Office of Building & Construction/Code Enforcement and the Department of Planning, Housing and Community Development on June 28, 2012. Scott Snyder responded on June 28, 2012 stating that he does not object to the sale as long as the proposed portion of the lot to be bought is combined with the owners adjoining property. Tom Costello responded June 28, 2012 stating he has no objection to the sale, with the caveat that sufficient frontage along Glenwood Avenue should be reserved for future development consistent with existing character of the neighborhood (Neighborhood Commercial). Caroline Quidort responded June 28, 2012 stating that the PHCD has no objection to the sale of 85 Glenwood Avenue. Angela Holmes contacted the applicant on July 26, 2012 to inquire whether or not a metes and bounds survey was obtained. Applicant responded on July 31, 2012, stating that a metes and bounds survey was not obtained; the applicant submitted a deed description instead. Caroline Quidort responded on August 22, 2012 stating that the submitted document seems to describe the transfer of two previously subdivided lots ("lot 2" and "lot 3"), a one re-formed lot, to one party in 1980. Ms. Quidort stated that while the lot dimensions described in the document roughly measure those of the proposed subdivision and sale, there are some discrepancies between the stated lot dimensions and those measured on site and indicated on the current Broome County tax map, particularly along the northern property line. While the Broome County tax map data is not exact, it appears that an accurate survey of the property should be required prior to subdivision and sale to Ms. Sirsen. Phil Krey presented a topographical survey of the property to E&A on October 24, 2012, and stated that Planning will need to compare this map with the deed description to see if the two records are consistent. E&A noted that the City cannot subdivide the property without obtaining a metes and bounds survey from the applicant. Tarik Abdelazim responded on December 5, 2012, and stated PHCD has no objection to splitting the lot, and allowing the applicant to acquire the portion that faces Miles Street, provided that the applicant would need to obtain a professional survey. Tarik Abdelazim stated on February 5, 2013 that an individual interested in opening a convenience store at 79 Glenwood Avenue submitted a proposal before the Zoning Board of Appeals. This individual expressed an interest in splitting 85 Glenwood Avenue with Ms. Sirsen, to use a portion of the property as parking for the new business. The proposal was denied by ZBA, and the individual expressed no further interest in the project. E&A reviewed Ms. Sirsen's application on February 6, 2013, and asked Ms. Holmes to submit a letter to Ms. Sirsen, indicating that the City would be interested in selling the property for \$250, provided that she obtains a professional survey, certified to Ms. Sirsen and the City of Binghamton. Letter sent on February 6, 2013. Applicant responded on February 24, 2013, stating that she is in the process of obtaining estimates for surveyors.



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**Executive Session.** Motion to enter into Executive Session at 11:25am to discuss pending litigation.

Moved by Frank, seconded by Pearsall.

**Voice vote, none opposed.**

**Call to Order.** Called to order at 11:48am by Mayor Matthew T. Ryan.

**Present:** Matthew T. Ryan, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel

**Absent:** Philip T. Krey, City Engineer; Luke Day, Commissioner of Public Works

**Also Present:** Gerald Kennicutt, Deputy Comptroller; Brian Seachrist, Assistant Corporation Counsel; Angela Holmes, City Clerk

**Potential Settlement.** Motion to refuse settlement offered to City of Binghamton regarding *Nicholas v. City of Binghamton*, and to authorize Corporation Counsel to proceed as discussed in Executive Session.

Moved by Frank, seconded by Pearsall.

**Motion carried. (Vote 3-0-2)**

Ayes: Ryan, Pearsall, Frank

Nays: None

Absent: Krey, Day

**Adjournment.** Motion to adjourn at 11:50am.

Moved by Frank, seconded by Pearsall.

**Voice vote, none opposed.**